

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 26, 2006 PLANNING COMMISSION MEETING

**P.A.S.:** Special Permit #06026

**PROPOSAL:** To allow a wireless facility (monopole) up to 105' in height in the O-3 zoning district.

**LOCATION:** 8450 Eagle Crest Road

**LAND AREA:** The lease area is approximately 1,100 square feet in area.

**CONCLUSION:** Subject to the conditions of approval, this request complies with the requirements of the Zoning Ordinance and the Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
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### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 2, Eagle Crest 3<sup>rd</sup> Addition.

**EXISTING ZONING:** O-3 Office Park

**EXISTING LAND USE:** Southeast Rural Fire Department fire station

### **SURROUNDING LAND USE AND ZONING:**

North:	Undeveloped	O-3
South:	Residential, Bank w/drive-through	O-3, R-3
East:	Church	AG
West:	Restaurant w/drive through	O-3

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Page F25** - The 2025 Comprehensive Plan's Land Use Plan (as amended July, 2003) designates commercial land uses in this area.

**Page F126** - Wireless Telecommunications - The placement and construction of such facilities need to occur in a way that is compatible with the natural and built environment. Taller, more intensive facilities should be located in commercial and industrial areas. Facilities in residential areas should be unobtrusive, of a scale consistent with the neighborhood setting, and sited in a way that does not detract from the enjoyment of the neighborhood by its residents.

**HISTORY:** Use Permits #142 and #142A were approved on **December 12, 2001** and **November 26, 2003** respectively, and covered the adjacent lots where the bank and restaurant are located. The Southeast Rural Fire Department (SERFD) facility was built as an allowed use when the site was zoned AG and is not included in either permit.

**September 28, 1999** - Change of Zone #3171 (AG to R-3 and O-3), Comprehensive Plan Amendment #94-35, Annexation #99007, and Preliminary Plat #99007 for Eagle Crest were approved.

**ANALYSIS:**

**1. STANDARDS FOR EVALUATION:**

**Conformity with Comprehensive Plan.**

- A. The Comprehensive Plan designates commercial land uses in this area. The Comprehensive Plan also notes that towers accommodating wireless facilities are part of the infrastructure that supports emerging wireless technologies, and are consistent with the goal of ensuring the community is served by information technology. This application is consistent with the Plan and sites the facility in a manner that is compatible with surrounding uses.

**Preference of site location in accordance with Section 27.68.080.**

- B. There are three location preferences as follows:

I. Preferred Location Sites:

(A) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(B) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(C) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses,

has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(D) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

II. Limited Preference Sites, in order of priority:

(A) Sites on other public property.

(B) Sites on other commercially or industrially zoned property.

(C) Screened antennas on multi-family residential structures exceeding 30' in height.

(D) Camouflaged structures with minimal impact on residential land uses.

III. Sensitive Location Sites. Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.

The proposed location is in the O-3 Business Park district on the site of a Southeast Rural Fire Department station. The other lots in this O-3 area are developed with commercial uses and it is considered a preferred location.

**Compatibility with abutting property and land uses.**

- C. The abutting uses in this O-3 district include a restaurant and bank, both with drive-through facilities. The proposed wireless facility would be appropriate on any of the lots in this O-3 area and is compatible with the existing uses provided adequate screening and separation from the residences in the R-3 to the south (approximately 250' away) of the proposed site is maintained.

**Adverse impacts such as visual, environmental or noise impacts.**

- D. The plans show flush-mounted antennas to minimize the silhouette of the facility and help minimize the visual impact of the facility. No other environmental or noise impacts are noted.

**Availability of suitable existing structures for antenna mounting.**

- E. LMC Section 27.68.120(d) requires a minimum separation of one-half mile between wireless facilities. The applicant was asked to provide coverage maps and a search ring to show both where coverage is needed, and to show the area where a facility could be located to meet coverage requirements. The applicant notes that there are no existing wireless facilities or other structures within one-half mile of the proposed site, nor within the search ring developed by Verizon.

**Scale of facility in relation to surrounding land uses.**

- F. The proposed tower is located in the O-3 district, and the existing uses are generally compatible with a 105' tall wireless facility. Compatibility of scale is provided by centrally siting the facility on the lot behind the fire station thereby providing adequate separation from surrounding uses. Flush mounted antennas help to reduce the silhouette and the overall size of the facility.

**Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.**

- G. There is no significant impact noted.

**Color and finish.**

- H. The tower must have a galvanized finish as required by the LMC Section 27.68.110(c), but it is not indicated in the application. The site plan must be revised to include a note stating this.

**Ability to collocate.**

- I. The proposed tower is designed to accommodate up to four carriers, one more than the minimum number required by LMC Chapter 27.68 for a facility of this height.

**Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.**

- J. A landscape plan was provided with the application. The Design Standards require screening as a buffer and to improve the aesthetic appearance of the facility. Minor revisions to the landscape plan including revising the tree layout and changes to the landscape plan notes are noted in the conditions of approval.

**Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.**

- K. This wireless application is considered a preferred site and the elimination of other preferred or limited preference sites is not required by the Zoning Ordinance. During meetings with staff, the applicant noted that Verizon was willing to collocate and seriously evaluated that option, but are seeking to build a new facility because there are no collocatable facilities.

**CONDITIONS:**

**Site Specific:**

1. This approval permits a 105' tall monopole for wireless facilities capable of accommodating the antennas up to four carriers consistent with the revised site plan.

**General:**

2. Before receiving building permits:
- 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department for review and approval.
- 2.1.1 A revised site plan including 5 copies showing the following revisions:
- 2.1.1.1 Add a note stating that the monopole will have a galvanized finish.
- 2.1.1.2 Remove the notes relating to setbacks for the B-1 district.
- 2.1.1.3 A signed surveyor's certificate.

2.1.1.4 Revise the note on the landscape plan indicating the height of the trees at time of planting be will 4' to 5' high.

2.1.1.6 Revise the landscape plan to show screening for the wireless facility and proposed equipment shelter in compliance with the City of Lincoln Design Standards.

2.1.1.7 Add the following notes:

A. The monopole will not be lighted.

B. All antennas shall be flush-mounted arrays.

C. All ground equipment to be screened per City of Lincoln Design Standards at time of building permits.

2.1.1.8 Show adequately-sized lease areas for ground equipment for all three additional carriers.

2.2 The construction plans comply with the approved plans.

2.3 Submit a surety adequate to guarantee removal of the wireless facility subject to approval by the City.

Standard:

3. The following conditions are applicable to all requests:

3.1 Before use of the facility all development and construction shall have been completed in compliance with the approved plans.

3.2 All privately-owned improvements shall be permanently maintained by the owner.

3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special

permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

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Brian Will, 441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
April 10, 2006

**CONTACT:** Trena Vunesky  
Dolan Realty Advisors  
7718 Forsyth Blvd  
Clayton, MO 63105  
(314) 344-2892

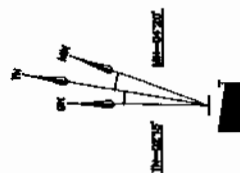
**APPLICANT:** Verizon Wireless  
10740 Nall Avenue Ste 400  
Overland Park, KS 66211  
(913) 344-2892

**OWNER:** Southeast Rural Fire District  
8450 Eagle Crest Road  
Lincoln, NE 68505  
(402) 441-7491



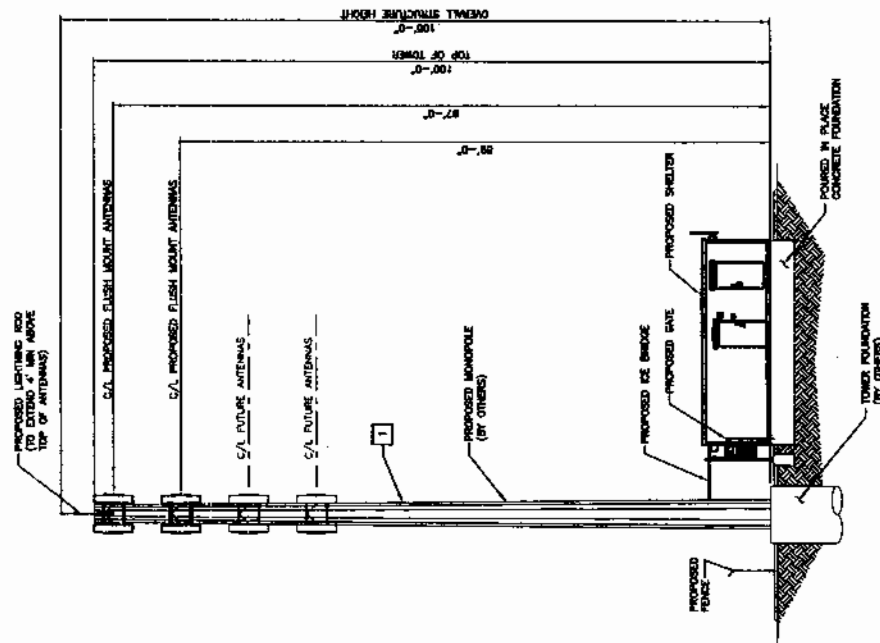






REV	DATE	REVISION DESCRIPTION	BY
A	03/05/94	ISSUED FOR TOWING	J.B.
B	03/26/98	REDESIGNED FOR TOWING	SPN





REF	DATE	ISSUANCE	REMARKS
A	03/08/74	ISSUED FOR ZONING	
B	03/28/74	RECEIVED FOR ZONING	

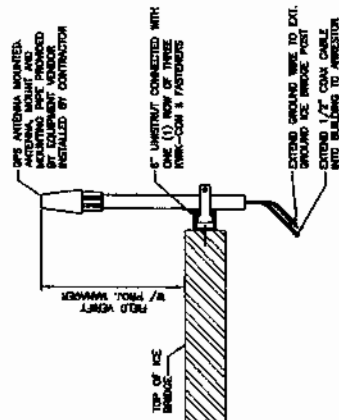
**CONSULTANTS, INC.**  
 10000 10th Street, Suite 300  
 San Diego, CA 92121  
 Phone: 619-438-7700  
 Fax: 619-438-7777

[illegible]EQUIPMENT FURNISHED  
AND/OR INSTALLED BY:

**FURNISHED**

REPLETER	VERSION	WIRELESS	CONTRACTOR
TOWER	VERSION	WIRELESS	CONTRACTOR
ANTENNA MOUNTS	TOWER	VENDOR	CONTRACTOR
CABLE LUGGING		V/A	
ANCHOR BOLTS	TOWER	VENDOR	CONTRACTOR
TOWER BULB BARS	TOWER	VENDOR	CONTRACTOR
ANTENNAS	VERSION	WIRELESS	CONTRACTOR
ALUMINUM	VERSION	WIRELESS	CONTRACTOR
CRACK	VERSION	WIRELESS	CONTRACTOR
GROUND KITS	VERSION	WIRELESS	CONTRACTOR
CONNECTIONS	VERSION	WIRELESS	CONTRACTOR
ENTRY PORT	VERSION	WIRELESS	CONTRACTOR
ICE BRIDGE MATERIAL	TOWER	VENDOR	CONTRACTOR
HAMMER KITS	VERSION	WIRELESS	CONTRACTOR
LONG ANTENNA	VERSION	WIRELESS	CONTRACTOR
SPOT ANTENNA	VERSION	WIRELESS	CONTRACTOR

LOCATIONS OF ANTENNAS AS SHOWN HAVE BEEN APPROVED BY CLIENT AND/OR CLIENT'S INCHD FREQUENCY ENGINEERS. EAC ASSUMES NO RESPONSIBILITY FOR NOR HAS EAC PERFORMED ANY INVESTIGATIONS OR STUDIES CONCERNING THE COMPLIANCE OR NONCOMPLIANCE OF RAD ANTENNA LOCATIONS WITH ANY FCC RADIO FREQUENCY EXPOSURE REGULATIONS.

[illegible]

TYPICAL G.P.S. ANTENNA MOUNTING DETAIL

### ANTENNA KEY

ANTENNA NUMBER	LOCAL LABEL CODE (PAGE 5)	BEAM WIDTH	ANTENNA MODEL #	ANTENNA HEIGHT	ELEV. AZIMUTH	ELECT. DOWNTILT	1 METER CORRECTED HEIGHT TO C.V. OF ANTENNA (M)	FEEDER	CONICAL FEEDER	
								REZ.	LENGTH	TYPE
R/T-0-A	LINE 1 R/T-0-A		SEE FINAL SDF				87'-0"	1 5/8"	115 FT	1/2"
-	LINE 2		-				-	-	-	-
R/T-1-A	LINE 4 R/T-1-A		SEE FINAL SDF				89'-0"	1 5/8"	105 FT	1/2"
R/T-0-B	LINE 5 R/T-0-B		SEE FINAL SDF				87'-0"	1 5/8"	115 FT	1/2"
-	LINE 6		-				-	-	-	-
-	LINE 7		-				-	-	-	-
R/T-1-B	LINE 8 R/T-1-B		SEE FINAL SDF				88'-0"	1 5/8"	105 FT	1/2"
R/T-0-C	LINE 9 R/T-0-C		SEE FINAL SDF				87'-0"	1 5/8"	115 FT	1/2"
-	LINE 10		-				-	-	-	-
-	LINE 11		-				-	-	-	-
R/T-1-C	LINE 12 R/T-1-C		SEE FINAL SDF				88'-0"	1 5/8"	105 FT	1/2"

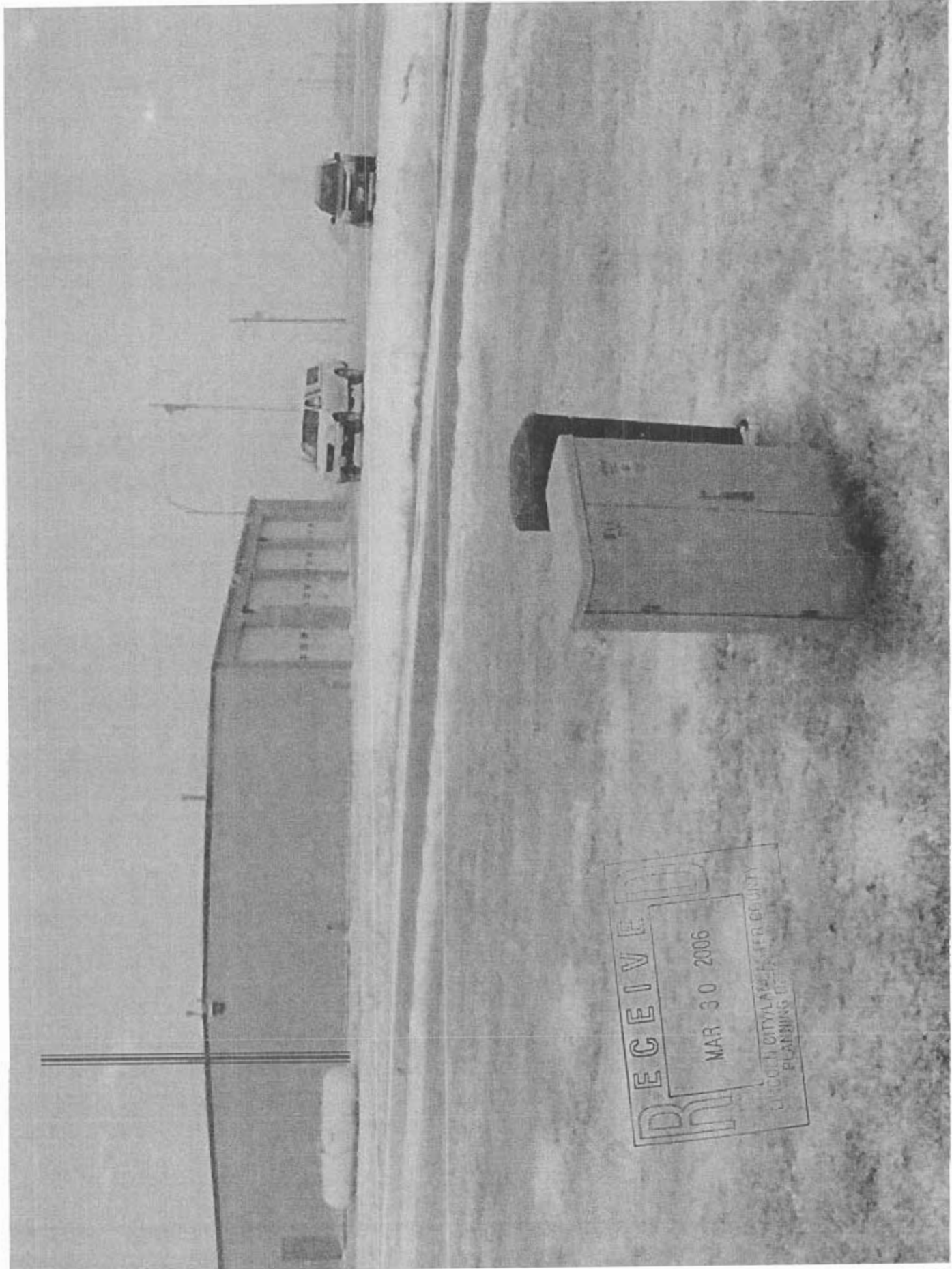
**THE TWA FUEL ANTENNA**

SEE FINAL SDF FOR AZIMUTHS

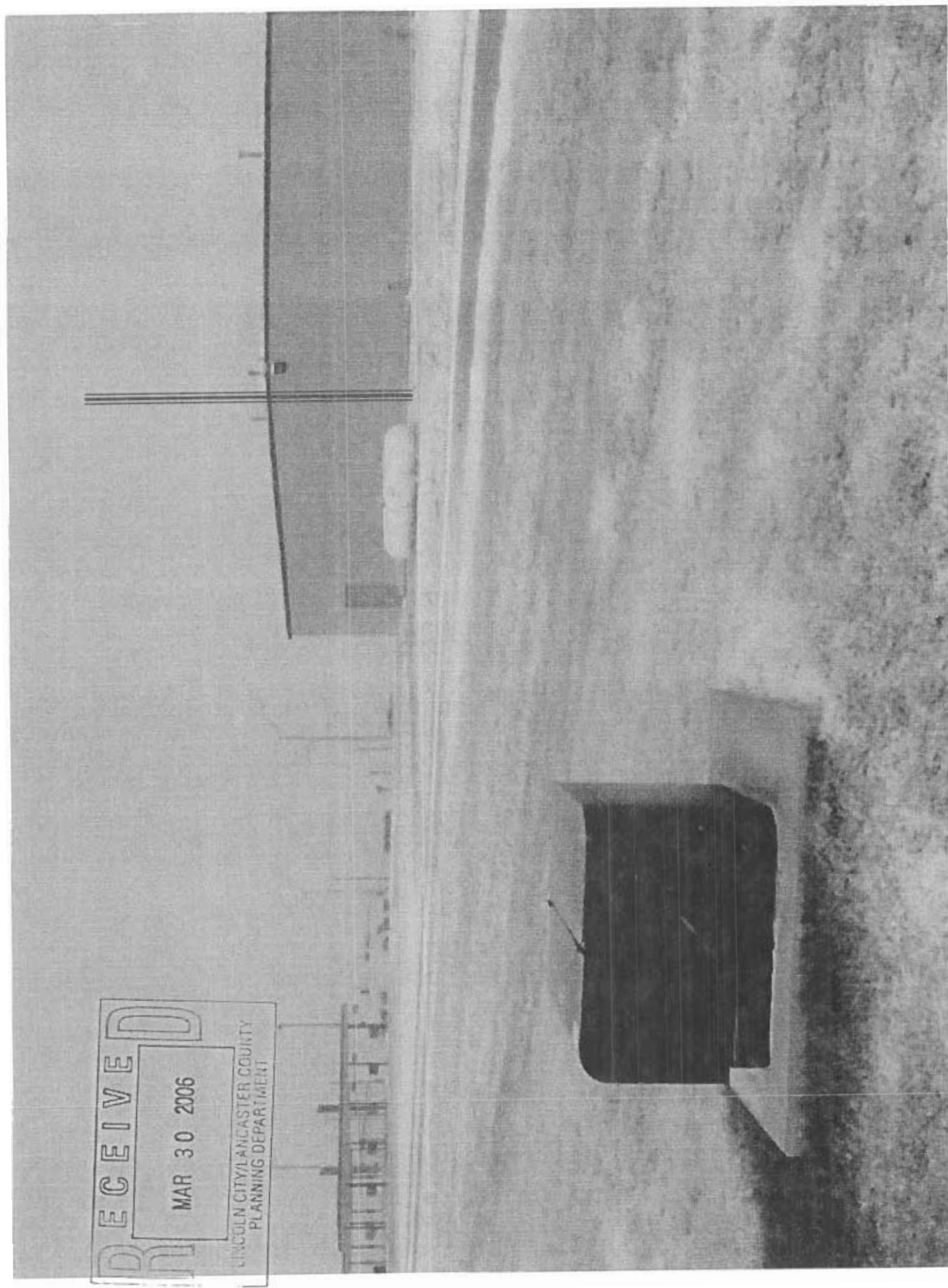
**GENERAL NOTES:**

- [illegible]



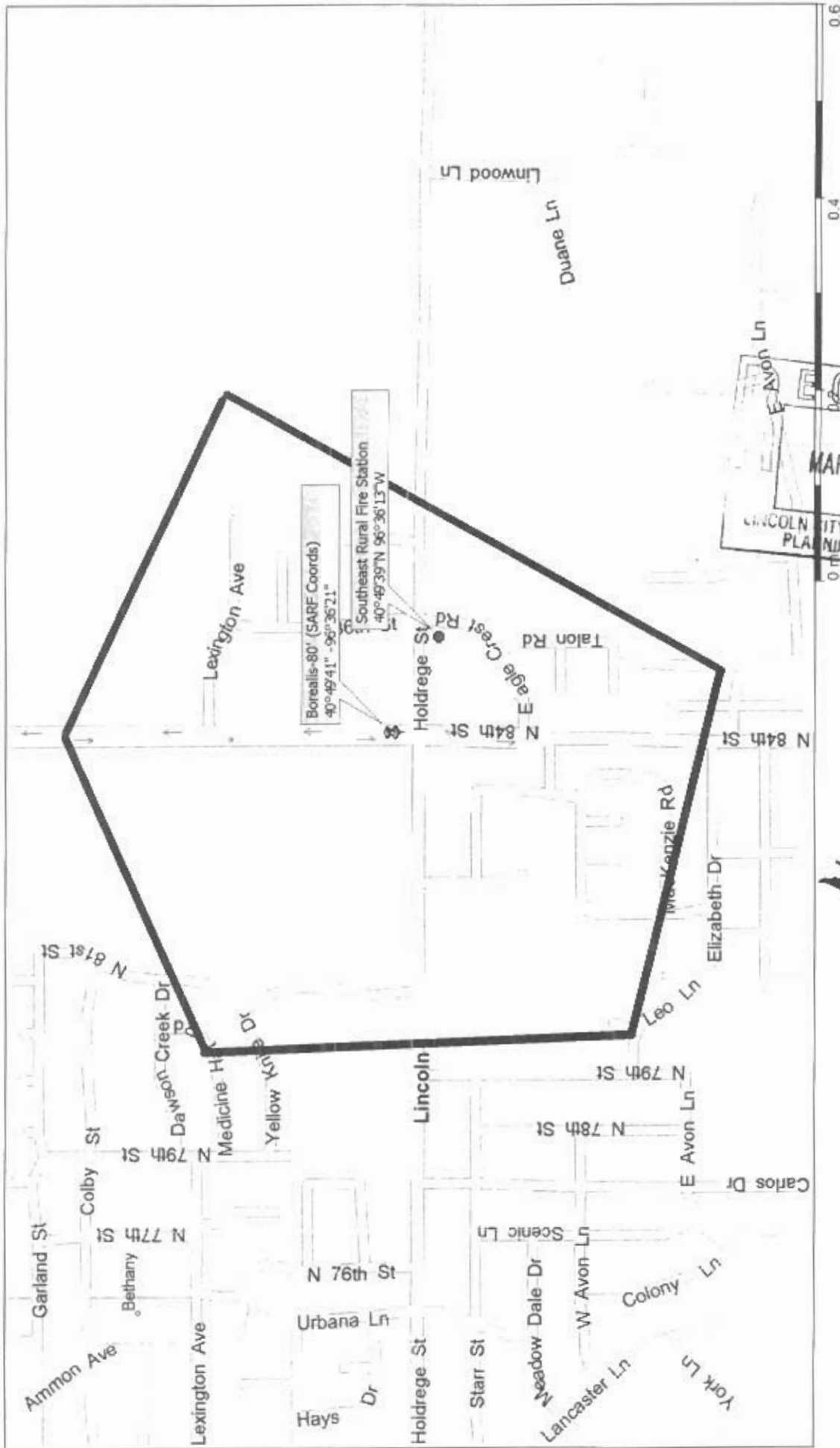


Location of proposed 100' monopole with flush-mounted antennas (propane tank to be moved)



Location of proposed 100' monopole with flush-mounted antennas (propane tank to be moved)

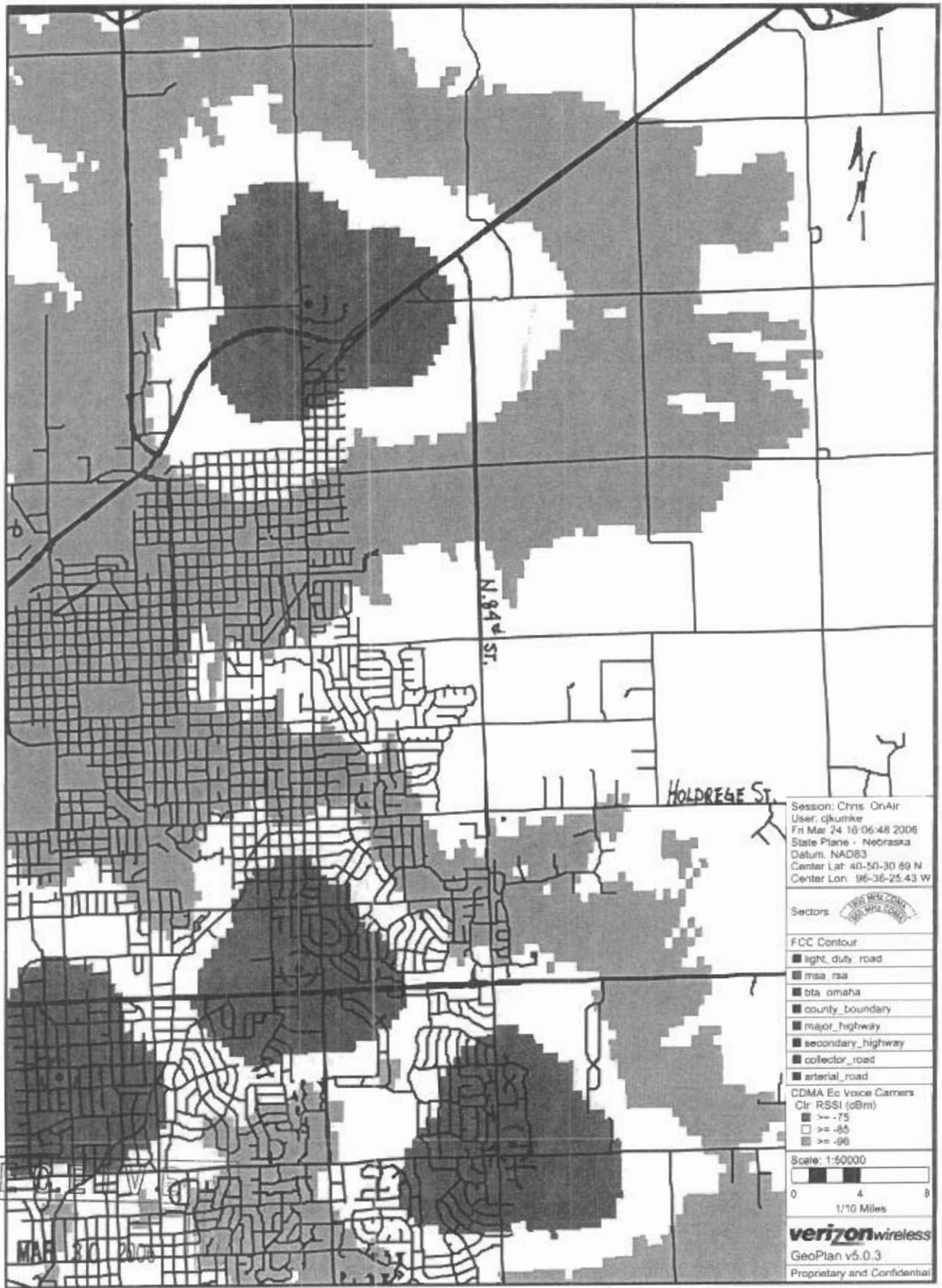
# Lincoln Sites



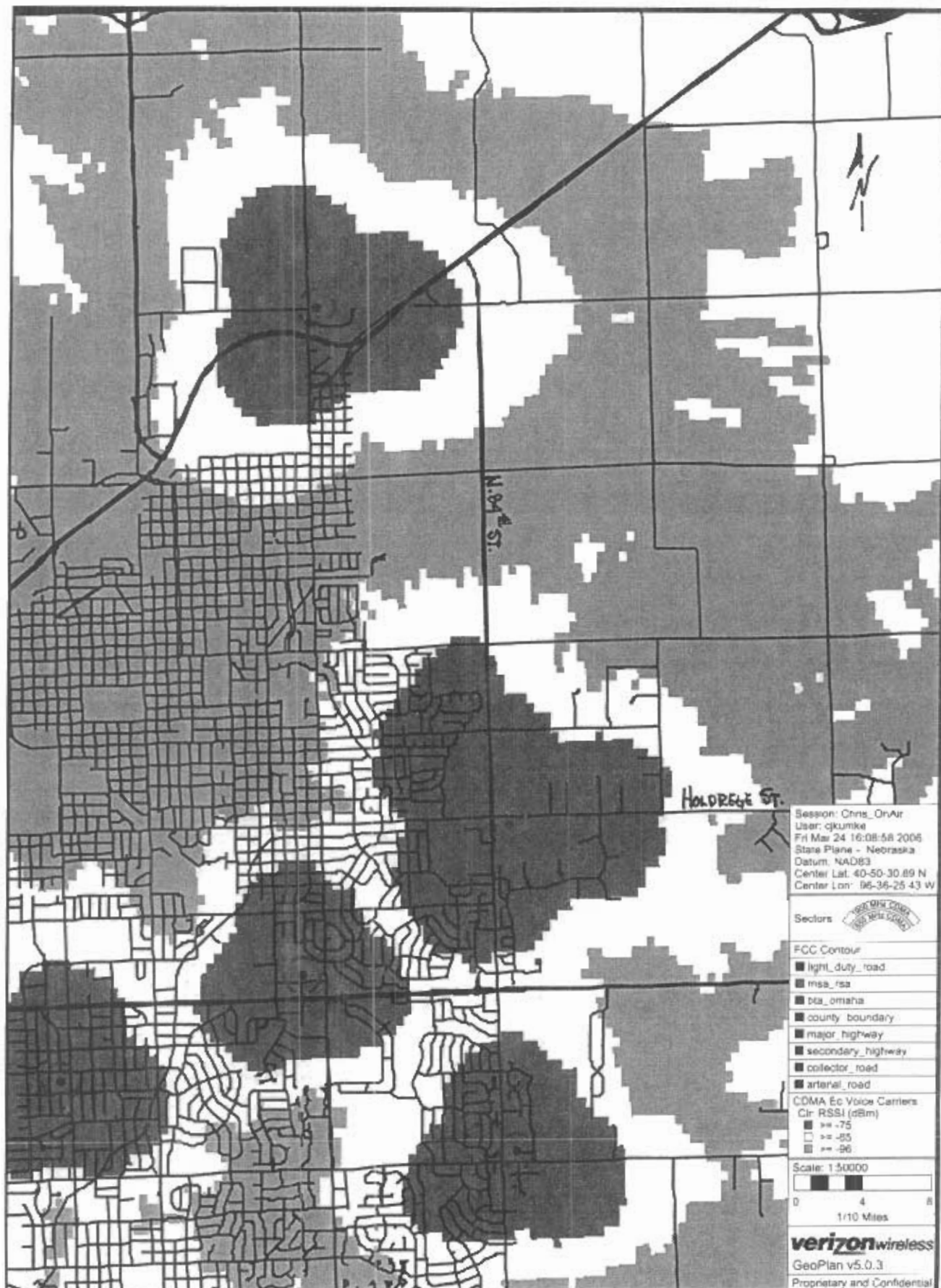
SEARCH RING



# COVERALIE MAP - Before Tower



# Coverage Map - After Tower



7718 Forsyth Blvd  
St. Louis, MO 63105

**314.726.2610 (t)**

314.726.1821 (f)



March 29, 2006

City of Lincoln  
Dept. of Planning and Zoning  
Brian Will  
555 S. 10<sup>th</sup> St.  
Lincoln, NE 68508

**RE: Verizon Wireless-Special Use Permit**

Dear Mr. Will:

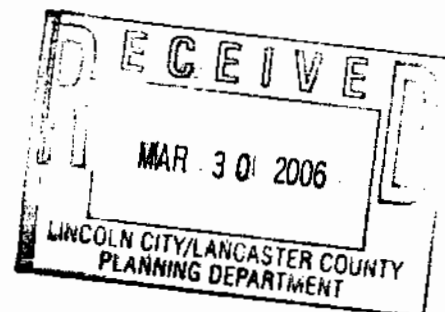
Attached are the missing items for the proposed telecommunication tower on Southeast Rural Fire District property (8450 Eagle Crest Road.)

If you should have any questions or concerns, please feel free to contact me at (314) 726-2610.

Sincerely,

Dolan Realty Advisors, LLC

  
Trena Vunesky



**Purpose Statement:**

Verizon Wireless (VAW) to build a 100' monopole with flush-mounted antennas and construct an 11'6" x 30' equipment shelter in a 24' x 46' area. VZW will comply with the City of Lincoln telecommunication ordinance and design the tower to hold an additional three carriers. Landscaping will be added to create a buffer around the proposed telecommunications site.

The Southeast Rural Fire Department is the preferred location for the proposed Verizon Wireless monopole.

There are no existing structures within .5 miles of the proposed location.

**Applicant Information:**

Verizon Wireless (VAW), LLC  
180 Washington Valley Road  
Bedminster, New Jersey 07921  
P:(678)339-4271  
F:(678)339-8552  
E:pamelia.hoof@verizonwireless.com

Call Sign: KNLH675

Market: BTA256 - Lincoln, NE

